

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

CIVIL ACTION NO. 04-11934-GAO

NOAH GREENBERG)
Plaintiff)
)
v.)
)
TOWN OF FALMOUTH,)
AND GANNETT)
FLEMING, INC.,)
Defendants)

**CERTIFICATION/AFFIDAVIT OF COUNSEL, PURSUANT
TO LOCAL RULE 7.1(A)(2)**

I, John C. Barker, hereby declare under oath that:

1. I am a partner with the law firm of Michienzie & Sawin LLC, 745
Boylston Street, Boston, MA 02114. Michienzie & Sawin represents defendant Gannett
Fleming, Inc. ("Gannett") in the above-captioned lawsuit.

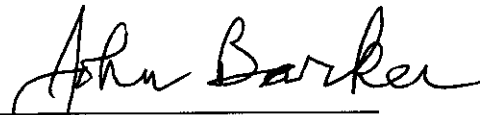
2. This Certification/Affidavit is based upon my personal knowledge of the
events in this matter and the facts set forth herein.

3. On 7/25/05, I called and left a message with plaintiff's counsel Richard
Russell, Esq., requesting an extension of time within which to respond to plaintiff's
Motion for a Preliminary Injunction in this case. On 7/26/05, Mr. Russell returned my
call and granted an extension of time for Gannett's response to plaintiff's motion, until
8/10/05. Mr. Russell also agreed to try to provide plaintiff's responses to Gannett's
Interrogatories sufficiently before the new 8/10/05 deadline so that I could review
plaintiff's responses before filing Gannett's Opposition.

4. On 7/26/05, I called and left a message for counsel for the Town of Falmouth, Daniel Skrip, to ascertain whether Mr. Skrip had any objection to the extension of time until 8/10/05. Mr. Skrip called me back on 7/27/05 and indicated that Falmouth had no objection to the requested extension of time.

5. At the hearing on 7/19/05, the Court approved the parties' jointly submitted pre-trial schedule, which included a cut-off date for factual discovery of 11/30/05. The next date on the pre-trial schedule is 9/30/05, the deadline for joinder of additional parties and/or amendment of pleadings and the deadline for plaintiffs' disclosure of its experts.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 27th
DAY OF JULY 2005.



John C. Barker